TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Cancel claims 1-31.

32. (New) A nucleic acid which comprises the helper functions of a herpesvirus genome which are required for replicating adeno-associated viruses (AAVs) and, inserted therein, a rep gene and a cap gene obtained from AAVs, in each case operatively linked to an expression control sequence, with the rep gene and the cap gene being located on an insert which is integrated in the genome of the herpes virus.

33. (New) A vector, which comprises a nucleic acid as claimed in claim 32.

34. (New) A recombinant herpesvirus, which contains a rep and a cap gene obtained from adeno-associated viruses (AAVs) and operatively linked to an expression control sequence, with the rep gene and the cap gene being located on an insert which is integrated in the genome of the herpes virus.

35. (New) A recombinant herpesvirus as claimed in claim 34, wherein after three dilution steps in a plaque purification no visible reversion to the wild type is observed.

36. (New) A recombinant herpesvirus as claimed in claim 34, which additionally comprises a reporter gene.

37. (New) A cell, which contains a vector as claimed in claim 33.

38. (New) A recombinant herpesvirus as claimed in claim 34, which is selected from the group of Herpesviridae comprising herpes simplex virus (HSV), cytomegalovirus (CMV), pseudorabies virus (PRV) and Epstein-Barr virus (EBV) and other members of the herpesvirus family.

39. (New) A recombinant herpesvirus as claimed in claim 38, which is a herpes simplex virus (HSV).

40. (New) A recombinant herpesvirus as claimed in claim 39, which is the HSV-1 strain 1802.

41. (New) A recombinant herpesvirus as claimed in claim 34, which is a mutant which is completely or partially replication-deficient.

42. (New) A recombinant herpesvirus as claimed in claim 34, wherein the insertion does not encompass the complete AAV ITR sequence.

43. (New) A recombinant herpesvirus as claimed in claim 34, wherein the AAV rep gene and the AAV cap gene are inserted in the U_L or the U_L region of the herpesvirus.

44. (New) A process for preparing a recombinant herpesvirus as claimed in claim 34, wherein the AAV rep gene and the AAV cap gene are stably integrated into the genome of the herpesvirus.

45. (New) The process as claimed in claim 44, wherein the rep gene and the cap gene are integrated into the herpes genome by restriction cleavage/ligation or by homologous recombination.

46. (New) The process as claimed in claim 44, wherein the herpesvirus is an HSV mutant which possesses a unique restriction site.

47. (New) The process as claimed in claim 45, wherein the herpesvirus is an HSV mutant which is completely or partially replication-deficient.

48. (New) A viral composition which comprises a recombinant herpesvirus as claimed in claim 34.

49. (New) A composition as claimed in claim 48, which is free of wild-type herpesvirus.

50. (New) A process for preparing infectious AAV vector preparations, comprising the steps of:

a) preparing a viral vector which is an adeno-associated virus (AAV) vector

b) preparing a recombinant herpesvirus as claimed in claim 34

c) introducing the AAV vector from (a) and the recombinant herpesvirus from (b) into a cell,

d) replicating the AAV vector, and

e) obtaining an infectious AAV vector preparation.

51. (New) The process as claimed in claim 50, wherein the AAV vector and the recombinant herpesvirus are introduced into the cell by infection.

52. (New) The process as claimed in claim 50, wherein an encapsulated rAAV preparation is obtained.

53. (New) The process as claimed in claim 50, wherein use is made of a replicatable recombinant herpesvirus.

54. (New) The process as claimed in claim 50, wherein use is made of a non-replicatable recombinant herpesvirus.

55. (New) A cell, which contains a recombinant herpesvirus as claimed in claim 34.

56. (New) A cell as claimed in claim 55, wherein the recombinant herpesvirus has been introduced by infection.

57. (New) A cell as claimed in claim 55, which additionally contains a recombinant AAV vector.

58. (New) A cell as claimed in claim 57, wherein the AAV vector contains a heterologous DNA insert which encodes a therapeutically active polypeptide.

59. (New) A cell as claimed in claim 55, which is a BHK cell, a Vero cell or a HeLa cell.

60. (New) A process for producing infectious AAV vector preparations, with an AAV vector and a helper virus being introduced into a cell, the AAV vector being replicated and an infectious AAV vector preparation being obtained from the cell and/or the culture supernatant, wherein the AAV vector and the helper virus are introduced into the cell by infection.